

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,  
LAHONTAN REGION**

**ACCOMPLISHMENTS RELATED TO FUELS REDUCTION EFFORTS IN THE LAKE  
TAHOE BASIN**

June 20, 2007

The California Regional Water Quality Control Board, Lahontan Region (Water Board) is aware of the potential for catastrophic wildfire within the Lake Tahoe Basin and its potential adverse effects on the clarity of the Lake. The Water Quality Control Plan for the Lahontan Region (Basin Plan) recognizes the importance of fuels reduction work and allows for removal of excess forest fuels, including that within stream environment zones (SEZs).

The Water Quality Control Plan for the Lahontan Region requires the use of best management practices to reduce the effect of the timber harvest and fuels reductions activities to the maximum extent feasible. Mechanized equipment may be used within SEZs where permanent soil disturbance or compaction does not occur, thereby maintaining the functions of SEZ in reducing the potential for discharges of sediment and nutrients to surface waters. Hand thinning and over-snow removal with heavy equipment is allowed, including thinning of green trees in SEZs.

Over the past 10 years, the Water Board has taken the following steps to work cooperatively on fuels reduction efforts in the Lake Tahoe Basin.

1. The Water Board amended its Basin Plan in 1994 allowing/promoting greater use of prescribed fire, and allowing the use of heavy equipment in SEZs under specific conditions.
2. The Water Board collaborated with the California Board of Forestry (BOF) to develop the first "Tahoe Exemption" that focused on streamlining the California Forest Practice Rules for removal of dead and dying trees in the Tahoe Basin. Water Board staff wrote the initial language and brought it to the Forest Health Consensus Group, and then guided it through the BOF's adoption process. The changes allowed for exemptions for projects up to 20 acres in size.
3. The Water Board allowed a brush mastication demonstration project (heavy equipment) on steep slopes at Angora Highlands. However, based on the final monitoring report documenting significant soil compaction, this type of machinery is not currently allowed on sensitive land classes except as part of a demonstration project. The Water Board has allowed the California Tahoe Conservancy and the California Department of Forestry and Fire Protection (CAL FIRE) to conduct mastication projects on less sensitive land types. The U.S. Forest Service will be implementing a demonstration project at Heavenly Valley Creek to test innovative technology equipment within SEZs. Water Board staff has and will continue to work with these agencies to assist in project development and monitor project impacts with the goal of providing a broader range of techniques to address fuels management.

4. Water Board staff worked closely with TRPA staff in 2004 to modify the TRPA Code to be consistent with the Basin Plan, including making changes that made it possible for TRPA to allow heavy equipment use within SEZs if specific conditions were met. Prior to this change, the TRPA Code did not allow heavy equipment use in SEZs.
5. Recognizing the need to conduct some green tree thinning within SEZs to reduce fire intensity, Water Board staff approached the California Board of Forestry (BOF) in 2005 to consider adoption of emergency regulations allowing thinning of green trees in SEZs under a Forest Practice Rules exemption. Water Board staff took a lead role in drafting the language and gaining consensus from all parties. Lake Tahoe is the only place in California where green trees can be removed from Watercourse and Lake Protection Zones (WLPZs) under an exemption (the previous rules required preparation of a comprehensive Timber Harvest Plan and the lengthy approval process before such work could be performed).
6. In a related effort, Water Board staff developed a simplified Tahoe Timber Waiver Application form that makes the application process easier for residential and other low impact firesafe projects. The application complements the CALFIRE exemption for green tree thinning (Water Board staff “certify” tree removal in SEZs for CALFIRE by using this form). Projects involving tree or vegetation removal within 150 feet of a structure require no application submittal.
7. At its July 25, 2006 meeting, the Water Board adopted a Resolution of Intent to Improve Regulatory Coordination of Forestry Activities within the Lake Tahoe Basin. The Water Board also directed its staff to promote research about fuels reduction and its impact on soil disturbance and compaction and discover better ways to perform those activities without generating the types of pollution that impair Lake Tahoe’s clarity. This adaptive approach is consistent with the previously adopted regulations that allow demonstration projects. The Water Board is encouraged by the results of recent demonstration projects and will use this information to propose modifications to Water Board regulations. The Water Board will continue to work with TRPA and other partners to improve the efficiency and effectiveness of regulating fuels hazard reduction activities while protecting water quality and responding to community needs regarding the prevention of catastrophic wildfire.
8. On February 14, 2007, the Water Board reissued its categorical waiver for timber harvest activities. Waivers benefit the regulated community because they streamline the permitting process. Fuels hazard reduction projects were added to the waiver, which specifically calls for expedited processing of these projects. Project proponents do not have to apply for an individual permit or pay a fee if the project qualifies for the waiver.
9. Through Proposition 40 funds, the Water Board awarded a grant that includes funding for conducting defensible space projects for the Lake Valley Fire District. The grant includes public education on how to keep homes fire safe and how to implement water quality improvement measures at the same time as completing defensible space projects.